

REMARKS/ARGUMENTS

Applicants have received and carefully reviewed the Office Action of the Examiner mailed February 20, 2008. Claims 1, 4, 5, 13, 15, 16, 24, 25, 29, 38, 39, and 40 have been amended, and new claims 41-43 have been added. Claims 1-43 are pending. Support for the amendments and new claims is found in the specification, claims, and drawings as originally filed. Reconsideration and reexamination are respectfully requested.

Allowable Subject Matter

In paragraph 7 of the Office Action, the Examiner noted that if Applicants amended the claims to clearly distinguish the “manual selecting” step from the cited prior art, it would be allowable over the Smith ‘642 reference.

Telephone Interview

Applicants thank the Examiner for participating in a telephone interview with their representative on May 20, 2008. Proposed amendments to the independent claims were discussed in an attempt to further distinguish the selecting steps from that disclosed by Smith, and in particular, language reflecting the ability of a user to select a particular schedule parameter to be displayed in the schedule review mode, rather than having to wait for a controller to automatically scroll through an entire list of schedule parameters. No specific agreement was reached.

Claim Objection

Claims 4 and 15 are objected to for a typographical error. The claims have been amended as suggested by the Examiner.

Rejection under 35 U.S.C. § 102(e)

Claims 1-33 and 38-40 are rejected as being anticipated by Smith (U.S. 7,302,642). Independent claim 1, as amended, recites:

1. (Currently Amended) A method of accessing a schedule on a controller coupled to a user interface, comprising the steps of:
initiating a schedule review mode within the controller, said schedule review mode permitting viewing access only and not permitting editing access to at least ~~[[one]]~~ two schedule parameters in the schedule,
while in the schedule review mode, manually selecting via the user interface any of the two ~~[[one]]~~ or more schedule parameters;
in response to the manually selecting step, displaying the ~~one or more~~ manually selected schedule parameters via the user interface without first having to wait for other schedule parameters to be automatically sequentially displayed on the user interface; and
exiting the schedule review mode.

MPEP 2131 states that, in order to anticipate a claim, "[t]he identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)." Applicants submit that Smith does not teach the identical invention in as complete detail as recited in claim 1. Instead, Smith appears to teach touching REVIEW to automatically start scrolling through programmed values (e.g. in five second intervals), and touching REVIEW again to stop scrolling and return to the HOME screen. See column 9, line 66 through column 10, line 5. Applicants submit that Smith's teaching of a controller in which programmed values are scrolled through automatically is not identical to the method recited in claim 1. Nor would there appear to be any reason or motivation to modify Smith to arrive at the method of claim 1.

Claim 13 recites:

13. (Currently Amended) A method of accessing and programming a schedule on a controller equipped with a user interface, wherein the schedule has two ~~one~~ or more programmable schedule parameters, the method comprising the steps of:
providing a scheduling routine within the controller, the scheduling routine including a schedule review mode separate from an editing mode;
initiating the schedule review mode within the controller, wherein while in the schedule review mode, a user is not permitted to make changes via the user interface to at least some of the schedule parameters;
while in the schedule review mode, allowing the user to directly access select and view any particular desired schedule parameter via the user interface without first having to wait for other schedule parameters to be automatically sequentially displayed on the user interface;
initiating the editing mode within the controller;

modifying at least one schedule parameter in the schedule; and
exiting the scheduling routine.

Smith does not appear to teach a method including the step of allowing a user to directly access and view any particular schedule parameter via the user interface without first having to wait for other schedule parameters to be automatically sequentially displayed on the user interface.

Regarding independent claims 25, Smith does not appear to teach a device that allows a user to manually select and then display in any desired order two or more selected schedule parameters.

Regarding independent claims 39-40, Smith does not appear to teach a device that allows a user to manually select and view, in a user-controlled order, two or more schedule parameters of interest. Further, Smith does not appear to teach the invention recited in new independent claims 42 and 43. Claims 1-33 and 38-40 are all believed to be clearly patentable over Smith. Reconsideration and withdrawal of the rejection are respectfully requested.

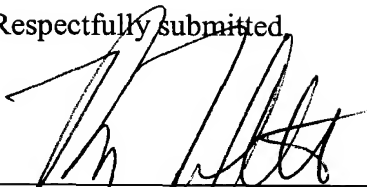
Rejection under 35 U.S.C. § 103(a)

Claims 34-37 are rejected as being unpatentable over Smith '642 in view of Smith (US 6,192,282). For at least the reasons set forth above, Smith '642 does not appear to teach the identical invention as recited in the independent claim 25, from which claims 34-37 depend. Smith '282 does not appear to provide what Smith '642 lacks, thus even if one were to combine the teachings of Smith '642 and Smith '282, one would not arrive at the claimed invention. Reconsideration and withdrawal of the rejection are respectfully requested.

Reconsideration and reexamination are respectfully requested. It is submitted that, in light of the above remarks, all pending claims 1-43 are now in condition for allowance. If a telephone interview would be of assistance, please contact the undersigned attorney at 612-359-9348.

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Respectfully submitted,



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Brian N. Tufte, Reg. No. 38,638
CROMPTON, SEAGER & TUFTE, LLC
1221 Nicolet Avenue, Suite 800
Minneapolis, MN 55403-2402
Telephone: (612) 677-9050
Facsimile: (612) 359-9349